



Satellite Broadcasting and Communications Association  
225 Reinekers Lane Suite 600 Alexandria, VA 22314 (703) 549-6990 (703) 546-7640 (fax)  
www.sbca.com

February 25, 2002

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Room TW-A324  
Washington, D.C. 20554

**Re: Ex Parte Presentation—In the Matter of Applications of BroadWave USA, PDS  
Broadband Corporation, and Satellite Receivers, Ltd. to Provide a Fixed Service  
in the 12.2-12.7 GHz Band, ET Docket No. 98-206, RM-9147, RM-9245**

Dear Mr. Caton:

In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. §1.1206, the Satellite Broadcasting and Communications Association (SBCA) submits this letter in response to a recent filing by the Fixed Wireless Communications Coalition (FWCC), asking that the Commission consider allowing a point-to-point service within the 12.2-12.7 GHz band and proposing such a new point-to-point service within that band.

The SBCA, which represents the DBS industry, has long maintained that the spectrum-sharing proposals in this docket present a "significant interference threat"<sup>1</sup> to the millions of DBS subscribers nationwide. We have consistently stated our objection to this harmful interference.

The latest filing by FWCC proposes to introduce new and untested interference issues into this proceeding that may exacerbate the loss of service problems that we have demonstrated are inherent in the band-sharing plans currently before the Commission. Therefore, we urge the Commission to withhold any action on the FWCC proposal until the interference issues have

---

<sup>1</sup> Analysis of Potential MVDDS Interference to DBS in the 12.2-12.7 GHz Band, The MITRE Corp., p. xvi. April 2001.

Mr. William F. Caton

February 25, 2002

Page 2

been thoroughly examined through testing and theoretical modeling, including analyses performed by the DBS industry and third parties. Finally, as with any other issue affecting the integrity of the 12.2-12.7 GHz band, the SBCA and the DBS industry, which is the primary user of the spectrum, should be consulted by the Commission in detail regarding the potential effect that any new service would have on the over 47 million DBS viewers and the millions of additional viewers DBS will serve in the future.

Sincerely,



Andrew Wright

President

SBCA

Cc: Chairman Michael Powell  
Commissioner Kathleen Q. Abernathy  
Commissioner Michael J. Copps  
Commissioner Kevin J. Martin  
Thomas J. Sugrue, Wireless Telecommunications Bureau  
Kathleen Ham, Wireless Telecommunications Bureau  
Barry J. Ohlson, Wireless Telecommunications Bureau  
Ramona Melson, Wireless Telecommunications Bureau  
James Bennett, Wireless Telecommunications Bureau  
Michael Pollak, Wireless Telecommunications Bureau  
Donald Abelson, International Bureau  
Richard B. Engelman, International Bureau  
Tom Tycz, International Bureau  
Rosalee Chiara, International Bureau  
Anna M. Gomez, International Bureau  
Paul Locke, International Bureau  
Chris Murphy, International Bureau  
Edmond J. Thomas, Office of Engineering and Technology  
Julius P. Knapp, Office of Engineering and Technology  
Bruce A. Franca, Office of Engineering and Technology  
Geraldine A. Matise, Office of Engineering and Technology  
Ira R. Keltz, Office of Engineering and Technology  
Thomas P. Derenge, Office of Engineering and Technology  
Gary Thayer, Office of Engineering and Technology  
Mitchell Lazarus, Counsel for the Fixed Wireless Communications Coalition

Peter Tenhula, Chairman Powell's Office  
Bryan Tramont, Comm. Abernathy's Office  
Paul Margie, Comm. Copps's Office  
Monica Shah Desai, Comm. Martin's Office